

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

SHANNON LAPORTE, et al.,

Plaintiffs,

v.

ROBERT GORDON, DR.
SANDIP SHAH, DR. SARAH
LYON-CALLO, MARY
KLEYN, AND MARY SEETERLIN,
in their official capacities,

Defendants.

Case No. 20-10089
Hon. Thomas L. Ludington
Magistrate Patricia T. Morris

ORDER REQUIRING EXPEDITED BRIEFING SCHEDULE

On January 14, 2020, Plaintiff, Shannon LaPorte on behalf of herself and as parent-guardian of her son, B.O., filed suit against Robert Gordon, Dr. Sandip Shah, Dr. Sarah Lyon-Callo, Mary Kleyn, and Mary Seeterlin, all in their official capacities. ECF No. 1. Plaintiffs alleged that MCL § 333.5431(2) violates the Fourth and Fourteenth Amendments, the initial extraction required under MCL § 333.5431(2) violates their Fourth Amendment rights, and the testing of the blood spots violates their Fourteenth Amendment rights. *Id.*

The same day, Plaintiffs filed a motion for preliminary injunction and the parties submitted a stipulated proposed order providing an expedited briefing schedule and seeking a decision on the motion for preliminary injunction by April 1, 2020. ECF Nos. 3, 8. Plaintiff LaPorte is pregnant with her child, B.O., who is due in late April or early May 2020. ECF No. 3 at PageID.34.

On March 13, 2020, Defendants filed a motion to dismiss. ECF No. 23. Also, on March 13, 2020, Plaintiffs filed a Motion to Exclude Exhibits Pursuant to Rule 12(d). ECF No. 24. The exhibits are all Michigan Department of Health and Human Services documents, most of which

appear to be secured from www.michigan.gov/mdhhs. Indeed, exhibits B and C to Plaintiffs' complaint appear to have been secured from the same website. In the interest of resolving all pending matters promptly, an expedited briefing schedule will be ordered.

It is **ORDERED** that **Plaintiffs' response** to Defendant's motion to dismiss, ECF No. 23, is due **on or before Wednesday, March 18, 2020**. **Defendants' reply** to their motion to dismiss, ECF No. 23, is due **on or before Tuesday, March 24, 2020**.

It is further **ORDERED** that **Defendants' response** to Plaintiffs' motion to exclude, ECF No. 24, is due **on or before Wednesday, March 18, 2020**. **Plaintiffs' reply** to their motion to exclude, ECF No. 24, is due **on or before Tuesday, March 24, 2020**.

Dated: March 16, 2020

s/Thomas L. Ludington
THOMAS L. LUDINGTON
United States District Judge